

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Grover J. Jackson,)	C.A. #0:07-0737-PMD-BM
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
Michael Astrue, Commissioner of Social Security Administration,)	
)	
Defendant.)	
)	

This matter is before the court upon the magistrate judge's recommendation that plaintiff's application to proceed *in forma pauperis* be denied.

This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. Thomas v Arn, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. United States v. Schronce, 727 F.2d 91 (4th Cir. 1984), cert. denied, 467 U.S. 1208 (1984).¹ No objections have been filed to the magistrate judge's report.

¹In Wright v. Collins, 766 F.2d 841 (4th Cir. 1985), the court held "that a pro se litigant must receive fair notification of the consequences of failure to object to a magistrate judge's report before such a procedural default will result in waiver of the right to appeal. The notice must be 'sufficiently understandable to one in appellant's circumstances fairly to appraise him of what is required.'" Id. at 846. Plaintiff was advised in a clear manner that his objections had to be filed within ten (10) days, and he received notice of the consequences at the appellate level of

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, plaintiff's application to proceed *in forma pauperis* is **DENIED**, and

IT IS FURTHER ORDERED that plaintiff shall have thirty (30) days from the date of this order to pay the filing fee, or this case will be dismissed for lack of prosecution.

AND IT IS SO ORDERED.


PATRICK MICHAEL DUFFY
United States District Judge

Charleston, South Carolina
May 18, 2007

his failure to object to the magistrate judge's report.